

Change of Ownership Process for Food Service Facilities

FAQ

Do I need a new Food Service Facility License if I am buying\being given an existing restaurant?

Yes. Food Service Facility Licenses cannot be transferred from one owner to another.

- **If the food facility is operating**, the new operator must immediately apply for a food license under their ownership and submit the documents noted in the Step by Step instructions for Change of Ownership and the Change of Ownership Packet [available at [Change of Ownership web page](#)].
- **If the food facility has been closed** prior to purchase, all documentation in the Step by Step Instructions for Change of Ownership and the Change of Ownership Packet must be submitted and approved and an inspection must be conducted prior to completing an application under your ownership.

How do I request a change of ownership inspection?

- Review the Step by Step Instructions for Change of Ownership and the Change of Ownership Packet.
- Call the Food Program at 410-313-1772 for assistance as needed.
- Submit the materials indicated in the [Change of Ownership Packet](#) that are applicable for your situation.
- The Food Protection Program will review your materials and alert you to any additional information needs.
- When your submission is complete and approved, call the Food Program at 410-313-1772 to schedule the inspection.

Do I need to involve the Health Department if I plan to remodel the restaurant?

Yes. Health Department approval of plans for a remodeled or materially altered facility is required *before any construction*. Submit materials listed in the [Change of Ownership Packet](#) to the Health Department Food Program. A checklist within the packet will help you to include the required elements for approval of the remodeling plans, but we *strongly suggest you call the Food Protection Program at 410-313-1772 to discuss the specifics of your situation and contact the Department of Inspections, Licensing, and Permits (DILP) regarding the need for any permit.*

What if I plan to change the menu without making any changes to the layout?

Your new menu and HACCP plan must be submitted to the Health Department Food Protection Program as part of the materials listed in the [Change of Ownership Packet](#).

How long does it take for the Health Department to respond to my submittal?

The Food Protection Program staff should respond to you in email or writing within 10-15 business days regarding the review of your plan and if additional information is required to complete the review. Information submitted in piecemeal fashion may delay the complete review.

What is the typical timeline for the change of ownership process?

- 10-15 business days for the review of the plan depending on the completeness of your initial submittal
- Depending upon the complexity of the materials, up to 15 business days for review after you submit any additional required materials
- At least 10-15 days for inspection and your correction of any deficiencies

For a facility that is currently in operation, plan for a minimum of 30 days to account for the review time, inspection, and the operator's need to correct deficiencies before a food license may be issued to the operator. The Food Program cannot approve equipment or layouts that do not comply with the requirements of the [Maryland Code of Regulations Governing Food Service Facilities COMAR 10.15.03](#).

What could trigger a delay in the Health Department's approval of my submittal?

Approval of your submission depends on the compliance with COMAR of the proposed plans for the food service facility. Delays in approval can be caused by:

- Incomplete submittals
- Incomplete responses to Health Department requests for additional clarification
- Additional changes after submittal
- Non-standard food processes and/or equipment
- Non-payment of fees

Where do I obtain the application for a Food Service Facility License?

- From Food Protection Program staff.
 - For a facility that is currently operating, Food Protection Program staff will provide you with an application upon notification of the Change of Ownership.
 - For a facility that has been closed, the Food Program Staff will provide you with an application prior to your pre-opening inspection.

For a food service facility that remains open and operating, how long do I have to meet plan review requirements?

For food service facilities that are open and operating, an operator has 30 days following completion of the license application and payment of the fee to meet review requirements. If the review requirements are not met within that time, the license application may be denied, and the food service facility may be closed and/or fined for operating without a Food Service License. *Please call the Food Protection Program at 410-313-1772 if you are unsure about the requirements or process.*

[Note: operators of closed food service facilities do not have a 30-day limit to meet review requirements, but the Food Protection Program will still respond to submittals within the time windows described above.]

What fees will I have to pay, and when?

There are two fees. See [Fee Schedule](#).

- The plan review fee for review of your menu/HACCP/facility plans is paid after your change of ownership plan review materials have been reviewed.
- A separate fee for your food establishment license is paid with your food license application after inspection.

The fee for both the plan review and the food service license fee depends on whether the facility is assessed as a low, moderate, or high priority facility. Payment of these fees is through check/money order payable to "Director of Finance."

What determines whether my facility is assigned High, Moderate, or Low Priority?

Priority is based upon Health Department review of the menu and food service processes which are incorporated in the Hazard Analysis Critical Control Point (HACCP) plan. In the case of a health care facility a higher priority is assigned. The assigned priority determines the frequency of routine Health Department inspections of the facility.

Where can I access the HACCP Guidelines?

They are available at this link: [HACCP Guidelines](#) and are also in the [Change of Ownership Packet](#). The Guidelines provide several examples and four different ways that you can organize your HACCP Plan. Use the approach you prefer to submit with your change of ownership materials.

What are Standard Operating Procedures (SOPs)?

Food service facility SOPs are written procedures describing your food service facility's daily operations to ensure food safety. SOPs provide detailed descriptions of sanitation, employee hygiene, equipment, maintenance, and food service processes. SOPs should be used in training your employees to complete tasks in a consistent way. The [SOP Guidelines](#) can assist in creating your SOPs.

How do I get a Howard County Food Service Manager Card?

Complete this [Food Service Manager Card Application](#) and bring it in person with:

- Photo identification
- One 2" by 2" photograph
- Original copy of a certified manager's certificate issued within 3 years. The following ANSI certified training certificates are acceptable:
 - Serv Safe

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- National Registry of Food Safety Professionals
 - 360 Training
 - Prometric, Inc.
 - State Food Safety Manager Certification
- \$17 fee paid by check/money order payable to the “Director of Finance,” or cash in the exact amount

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